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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,018	02/18/2005	Kurt Johannes Weschenfelder	W1.2160 PCT-US	5033

7590 10/05/2006
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EXAMINER

EVANISKO, LESLIE J

ART UNIT PAPER NUMBER

2854

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/525,018	Applicant(s) WESCHENFELDER ET AL.	
	Examiner Leslie J. Evanisko	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>02-18-05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

1. The drawings are objected to because of the following minor informality: It appears the lead line for reference numeral 17 in Figure 3 is designating the wrong surface of the groove since 17 is defined in the specification in paragraph [020] on page 11 as "the second wall 17 of the opening 07". It is noted that 17 is shown designating the more accurate location of the structure in Figure 1, for example.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the arrangement of six dressing arranged side-by-side in the axial direction of the cylinder as recited in claim 32 and the arrangement of two dressings in the circumferential direction of the cylinder as recited in claim 33 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the

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applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

4. Claims 32-33 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. In particular, neither the dressings nor the cylinder appear to be part of the claimed combination of the device and therefore claims 32-33 which provide further limitations regarding the dressing arrangement on the cylinder are improper since they fail to further limit the structure of the device as previously recited.

5. Claims 30-47 are objected to because of the following informalities:

With respect to claim 30, the term "said plurality of printing elements" in lines 6 and 8 has no proper antecedent basis and it appears that applicant meant --said plurality of pressing elements--.

With respect to claim 33, the term “whewrein” appears to be a typographical error and should be deleted and replaced with --wherein--.

With respect to claim 35, the claim language “said rolling element is one of a roll and a roller” is confusing because it is not clear what the structural difference is between the recited terms “roll” and “roller”.

With respect to claim 40, it is suggested that the phrase --being located-- be added after “means” in line 1 to make the claim language less awkward.

With respect to claim 44, the term “said first printing element” has no proper antecedent basis and it appears that applicant meant --said first pressing elements--.

With respect to claim 46, the term “said opening” in line 2 has no proper antecedent basis since the opening was only previously recited in claim 45. Additionally, it appears that the last 3 lines of claim 46 are actually reciting an operation for releasing an end of the dressing, which is awkward since the claims are directed to a method for pressing a dressing against a cylinder.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 30-54 are rejected under 35 U.S.C. 102(a) as being anticipated by Herbert et al. (WO 03/031179 A2). (**Since this PCT document is not in the English language,

the Examiner relied upon the corresponding U.S. Patent Application US 2004/0244615 for English language equivalent to best determine the specific nature of what is taught by WO 03/031179 A2)

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

With respect to claims 30-31 and 35, Herbert et al. teach a device for pressing a dressing against a cylinder comprising a plurality of pressing elements 53, 54 each embodied as a rolling element (rollers) supported adjacent the cylinder 16, 17, at least one of the pressing elements being engageable with a dressing independently of the other ones of the pressing elements, a support for each one of the pressing elements, each support being embodied as an elastically bendable body, and an actuating means 57, 58 associated with each said support and adapted to be charged with a pressure medium to deflect the support by elastic bending to place the rolling element against the dressing and upon end of the actuation, moving the supported rolling element away from the cylinder by operation of the elastically bendable body as recited. See Figure 7 in particular.

With respect to claims 34 and 36-40, note Herbert et al. teach leading and trailing pressing elements spaced from each other circumferentially with respect to a production direction of rotation of the cylinder, as well as the recited holder 56 and rigid stop.

With respect to claim 41, note Herbert et al. teach the actuating means 57, 58 is a reversibly deformable hollow body.

With respect to claims 42-43, note Herbert et al. teach the support is in the shape of a blade and is a resilient metal piece.

With respect to claims 44-48, note Herbert et al. teach the method for pressing a dressing against a cylinder 16, 17 as recited including placing several dressings side-by-side in the axial direction of the cylinder, providing a plurality of first pressing elements 54 (engageable rolling elements) arranged side-by-side the axial direction of the cylinder, assigning at least one of the plurality of elements to each dressing, providing at least one further pressing element 53 spaced in a circumferential direction of the cylinder from the first pressing element, engaging one of the rolling elements with its associated dressing at a start of a dressing attachment process, maintaining the one of the rolling elements in contact with the associated one of the dressing independently of others of the plurality of rolling elements.

With respect to claims 49-51 and 54, note Herbert et al. teach a method including providing suspension legs at the leading and trailing ends of the dressing and providing an opening in the cylinder for receiving the legs, wherein the leading end leg is suspended in the opening at the start of the dressing attachment process and the trailing end leg is suspended in the opening at the end of the dressing attachment process.

With respect to claims 52-53, note Herbert et al. include providing a holding member in the opening, changing the holding member between a release position and a holding position at the end of the attachment process, and moving the rolling element away from the cylinder after the holding member moves to the holding position.

8. Claims 30-33, 35, and 41-43 are rejected under 35 U.S.C. 102(a) as being anticipated by Schafer et al. (WO 03/047863 A2). (**Since this PCT document is not in the English language, the Examiner relied upon the corresponding U.S. Patent Application US 2005/0005793 A1 for English language equivalent to best determine the specific nature of what is taught by WO 03/047863 A2).

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

With respect to claims 30-33 and 35, Schafer et al. teach a device for pressing a dressing against a cylinder comprising a plurality of pressing elements 17 each embodied as a rolling element (rollers) supported adjacent the cylinder 02, at least one of the pressing elements being engageable with a dressing 01 independently of the other ones of the pressing elements, a support 11 for each one of the pressing elements 17, each support being embodied as an elastically bendable body, and an actuating means 19 associated with each said support 11 and adapted to be charged with a pressure medium to deflect the support by elastic bending to place the rolling element against the dressing and upon end of the actuation, moving the supported rolling element away from the cylinder by operation of the elastically bendable body as recited.

With respect to claim 41, note Schafer et al. teach the actuating means 19 is a reversibly deformable hollow body.


With respect to claims 42-43, note Schafer et al. teach the support 11 is in the shape of a blade and is a resilient metal piece.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on T-F 8:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
October 1, 2006